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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/124,231	07/29/1998	NOBUHARU IINUMA	1046.1185/JD	6479

21171 7590 06/24/2005

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WASHINGTON, DC 20005

EXAMINER
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LESPERANCE, JEAN E

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/124,231

Applicant(s)

IINUMA, NOBUHARU

Examiner

Jean E Lesperance

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The amendment filed January 18, 2005 is entered and claims 1-19 are pending.

#### Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanno (US 5,602,567) in view of Yoshinobu (US 5,699,104).

As per claim 1, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but Yoshinobu discloses a VRAM Fig.2 (11) is connected through the system bus to the CPU 9 and functions to store image data per screen for displaying a screen saver.

It would have been obvious to a person of ordinary skill in the art, at the time of the invention, to utilize the VRAM for displaying screen saver as taught by Yoshinobu in

the RAM 12 disclosed by Kanno because this would allow the display apparatus to protect its image data by using the screen saver function.

As per claim 2, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1).

As per claim 3, Kanno teaches a monitor control (CPU) 14 which communicates with the computer via the serial interface.

As per claim 4, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1).

As per claim 5, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1).

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As per claim 6, Kanno teaches a display apparatus comprising a monitor (display screen) 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus (see fig. 1).

As per claim 7, Kanno teaches a display apparatus comprising a monitor (display screen) 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus (see fig. 1).

As per claim 8, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see cot. 4, lines 43-45).

As per claim 9, see rejection of claims 6 and 7.

As per claim 10, see rejection of claims 1 and 4.

As per claim 11, see rejection of claim 5.

As per claims 12 and 13, see rejection of claim 2.

As per claim 14, see rejection of claim 4.

As per claims 15-19, the display control (14) taught by Kanno is well capable of controlling the screen protecting image data to be displayed on the display screen.

***Response to Amendment***

3. Applicant's arguments filed January 18, 2005 have been fully considered but they are not persuasive. The applicant argued that it is respectfully submitted that there would not have been motivation for the proffered modification of Kanno, and the Office Action is lacking of any evidenced motivation for the same. The Examiner's opinion/conclusion is insufficient. There must be evidenced motivation in the record supporting the underlying motivation for modifying Kanno. Regardless of what other reference discloses, there still must be some reason for modifying Kanno to include the same. Similar to previous rejections, the Office Action has only rejected the claims based on the Examiner's believe that addition of a feature from the secondary reference would have been obviously modifiable or modified into Kanno. Examiner disagrees with the applicant's point of view above. It is clear the Kanno teaches a display monitor Fig.1 ( 2) which includes a monitor control CPU Fig.1 (14) and also includes an EEPROM Fig.1 (11). The monitor control CPU (140 and the EEPROM (11) are independent of the computer CPU Fig.1 (1). Kanno fails to includes a screen saver program in its EEPROM. However, Yoshinobu teaches a software (program) for displaying various kinds of screen savers (column 10, lines 16 and 17). It would have been obvious to a person of ordinary skill in the art to know the software program taught by Yoshinobu could be burnt into the EEPROM disclosed by Kanno because this would allow the display monitor to adjusted into different screen savers. It is clear that it would have been obvious to modify Kanno to include a screen saver to display different screen savers. The applicant has to amend his/her claims to read away from the teaching the prior art in order to overcome the rejection. Therefore, the rejection is maintained.

### **Conclusion**

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from The examiner should be directed to Jean Lesperance whose telephone number is (571) 272-7692. The examiner can normally be reached on from Monday to Friday between 10:00AM and 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Patrick Edouard, can be reached on (571) 272-7603.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

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(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

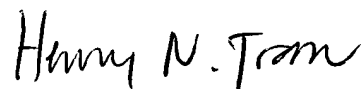
Any inquiry of a general nature or relating to the status of this application or Proceeding should be directed to the technology Center 2600 Customer Service Office Whose telephone number is (703) 306-0377.

Jean Lesperance



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Date 6/14/2005



**HENRY N. TRAN**  
**PRIMARY EXAMINER**